

REMARKS

Restriction Requirement

In the Restriction Requirement mailed September 22, 2006, the Examiner required restriction to one of the following Groups:

- I. Claims 1-2 and 4-19, drawn to methods of treating cancer or tumor cells comprising administering an X-nitro compound, classified in class 514, subclass 509.
- II. Claim 3, drawn to a pharmaceutical composition comprising an X-nitro compound, classified in class 514, subclass 509.
- III. Claims 20-23 and 26-27, drawn to a method of treating inflammation comprising administering an X-nitro compound, classified in class 514, subclass 509.
- IV. Claims 24-25, drawn to a method of treating autoimmune disease comprising administering an X-nitro compound, classified in class 514, subclass 509.
- V. Claims 28-31, drawn to a method of treating cardiovascular disease comprising administering an X-nitro compound, classified in class 514, subclass 509.

Applicants elect **Group I**, Claims 1-2 and 4-19, without traverse, for further prosecution. Claims 3 and 20-31 are withdrawn from consideration. Applicants reserve the right to pursue the withdrawn claims in one or more divisional applications at this time.

In addition, the Examiner has required election to one of the following patentably distinct species of the claimed invention: a single disclosed compound from the genus "X-nitro compound".

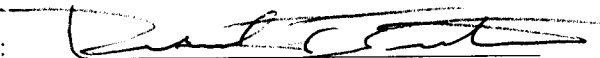
Applicants elect the species drawn to use of structure 5 on page 7 of the specification also known as 1,3,3 trinitroazetidine for further prosecution.

Serial No.: 10/681,855
Filing Date: October 7, 2003

Please direct any calls in connection with this application to the undersigned at (415) 442-1000.

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

Dated: May 3, 2007
Customer Number: **67374**
MORGAN, LEWIS & BOCKIUS LLP
One Market, Spear Street Tower
San Francisco, CA 94105
Telephone: (415) 442-1000
Facsimile: (415) 442-1001

By: 
Richard F. Trecartin, Reg. No. 31,801

Filed Under 37 C.F.R. § 1.34